



Atty Dkt 2302-1631.20
PP1631.101
PATENT

\$1633

#8/008
8/27/01

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 16, 2001

8/16/01
Date

Dahna S. Pasternak
Signature

TECH CENTER 1600/2900

AUG 24 2001

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BARNETT et al.

Serial No.: 09/610,313

Group Art Unit: 1633

Filing Date: July 5, 2000

Examiner: B. Whiteman

Title: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C
POLYPEPTIDES, POLYPEPTIDES AND USES THEREOF

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an Information Disclosure Statement, including a Form PTO-1449 and copies of the cited references. Enclosed is a check for \$180 to cover fees.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: Aug 15, 2001

By: D. Pasternak
Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
90 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 325-7812
Facsimile: (650) 325-7823



Atty Dkt 2302-1631.20
PP1631.101
PATENT

TECH CENTER 1600/2900

AUG 24 2001

RECEIVED

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 16, 2001

8/16/01
Date

Patricia K. Jones
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BARNETT et al.

Serial No.: 09/610,313

Group Art Unit: 1633

Filing Date: July 5, 2000

Examiner: B. Whiteman

Title: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C
POLYPEPTIDES, POLYPEPTIDES AND USES THEREOF

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

U.S. Patent Application No. 5,840,313 issued Nov. 24, 1998 to Vahine et al.;

U.S. Patent Application No. 5,846,546 issued December 8, 1998 to Hurwitz et al.;

U.S. Patent Application No. 5,876,731 issued March 2, 1999 to Sia et al.;

International Publication No. WO 96/30523 published October 3, 1996;

International Publication No. WO 98/34640 published August 13, 1998;

European Publication No. 0 449 116 A1 published October 2, 1991;

10/12/2001 02Z001E1 00000046 09610313

10/12/2001

186.00 0P

Andre et al., "Increased Immune Response Elicited by DNA Vaccination with a Synthetic gp 120 Sequence with Optimized Condon Usage," *Journal of Virology* 72(2):1497-1503 (1998);

Barre-Sinoussi et al., "Isolation of a T-Lymphotropic Retrovirus from a Patient at Risk for Acquired Immune Deficiency Syndrome (AIDS)," *Science* 220:868-871 (1983);

Clavel et al., "Isolation of a New Human Retrovirus from West African Patients with AIDS," *Science* 233:343-346 (1986);

Clavel et al., "Molecular Cloning and Polymorphism of the Human Immune Deficiency Virus Type 2," *Nature* 324:691-695 (1986);

Guyander et al., "Genome Organization and Transactivation of the Human Immunodeficiency Virus Type 2," *Nature* 326:662-669 (1987);

Freed, E.O., "HIV-1 Gag Proteins: Diverse Functions in the Virus Life Cycle," *Virology* 251:1-15 (1998);

Haas et al., "Codon Usage Limitation in the Expression of HIV-1 Envelope Glycoprotein," *Current Biology* 6(3):315-324 (1996);

Levy et al., "Isolation of Lymphocytopathic Retroviruses from San Francisco Patients with AIDS," *Science* 225:840-842 (1984);

Montagnier et al., "Human T-Cell Leukemia Viruses: The Family of Human T-Lymphotropic Retroviruses: Their Role in Malignancies and Association with AIDS," *Gallo, Essex & Gross, eds.*, pp 363-379 (1984);

Popovic et al., "Detection, Isolation, and Continuous Production of Cytopathic Retroviruses (HTLV-III) from Patients with AIDS and Pre-AIDS," *Science* 224:497-500 (1984);

Schneider et al., "Inactivation of the Human Immunodeficiency Virus Type 1 Inhibitory Elements Allows Rev-Independent Expression of Gag and Gag/Protease and Particle Formation," *Journal of Virology* 71(7):4892-4903 (1997);

Vilmer et al., "Isolation of New Lymphotropic Retrovirus from Two Siblings with *Haemophilia B*, One with AIDS," *The Lancet* 1:753 (1984); and

Wang et al., "Assembly of HIV GAG-B-Galactosidase Fusion Proteins into Virus Particles," *Virology* 200:524-534 (1994).

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Date: Aug 15, 2001

By: D. Pasternak
Dahna S. Pasternak
Registration No. 41,411
Attorney for Applicants

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: 650-325-7812
Facsimile: 650-325-7823